

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:06-CR-43
	:	
v.	:	(Chief Judge Conner)
	:	
REYNALDO RIVERA-CRUZ,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 10th day of August, 2017, upon consideration of the motion (Doc. 62) to vacate, set aside, or correct a sentence filed by defendant Reynaldo Rivera-Cruz (“Rivera-Cruz”) pursuant to 28 U.S.C. § 2255, in addition to the motion (Doc. 68) to appoint counsel, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Rivera-Cruz’s motion (Doc. 62) to vacate, set aside, or correct his sentence is DENIED as untimely.
2. Rodriguez’s motion (Doc. 68) to appoint counsel is DENIED as moot.
3. The court finds no basis to issue a certificate of appealability. See FED. R. APP. P. 22(b)(1); 28 U.S.C. § 2253.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania